

Docket No.: 22116-00002-US2

Application No.: 10/810,649  
Amendment dated January 11, 2006  
Response to Office Action dated May 3, 2005

### Remarks

Claims 1 6-10, 29, 32 and 33 are now in the application. The recent telephone discussions with Examiner Desai is hereby noted with appreciation. As discussed during the interview, claims 2 and 30 have been canceled without prejudice. Also as discussed during the interview, Claim 1 has been amended with respect to  $R_1$  by deleting the recitation "aliphatic amine except for propylamine when  $R = H$ ,  $n=1$  and the aminomethyl functionality is para substituted and halogenated forms thereof".

Claim 6 has been amended to place it in independent form and to delete the compound of the second formula since this compound is explicitly claimed in claim 2 of applicant's US Patent 6,914,079. Claim 30 has been cancelled for the same reason. Claim 7 has been amended to no longer depend from now cancelled claim 2. Claim 8 has been amended by deleting "or cosmetically" as discussed during the interview.

The amendments to the claims do not introduce any new matter.

Moreover, as discussed during the telephonic interview, attached is a Terminal Disclaimer to avoid a possible double patenting rejection over US Patent 6,914,079. The filing of the Terminal Disclaimer is not to be construed as an admission, estoppel or acquiescence. See *Quad Environmental Technology v. Union Sanitary District*, 20 USPQ2d 1392 (Fed. Cir. 1991) and *Ortho Pharmaceuticals Corp. v. Smith*, 22 USPQ2d 1119 (Fed. Cir. 1992)

In view of the above and our prior response, consideration and allowance are, therefore, respectfully solicited.

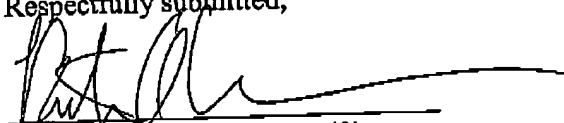
In the event the Examiner believes another interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

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The Director is authorized to charge any fees, or credit any overpayment associated with this communication, including any extension fees, to Deposit Account 22-0185.

Respectfully submitted,



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